

stances, I can see no good reason why the small sums now due and directly affected by the court's decision, should be repudiated.

They shall not go unpaid, however, for I will see that they are settled if it takes the coat off my back to do it. They are debts of honor and ought to be paid, and shall be paid. The matter has served partly its purpose in a political way. Now let's have a financial house-cleaning of all the departments of the State Government—don't confine it to the Governor's Mansion, but let it apply to the Governor's office, to the Attorney General, the Comptroller, the Land Commissioner, the Secretary of State, Public Instruction, the Fish and Game Department, Banking and Insurance, Adjutant General, the Legislature and the courts. I move you, sir, that the resolution provide for a thorough renovation and house-cleaning in order that the actual needs of the Government may be met and all unnecessary and unconstitutional appropriations may be eliminated from future appropriation bills, and thus reduce the burden of taxation. If this is not done now I shall insist in the future that it shall be done—and thoroughly done, too.

I hope I am not asking too much to request you to put this statement in the House Journal in justice to myself, and thus to make a public record of it.

Yours truly,
O. B. COLQUITT.

Senator Johnston of Harris asked unanimous consent to have the foregoing printed in the Journal, and there being no objection, it was so ordered.

TWELFTH DAY.

Senate Chamber,
Austin, Texas,
January 24, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Absent—Excused.

Bailey. Robbins.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Gibson.

See Appendix for brief statement of petitions and memorials.

See Appendix for standing committee reports.

Poem.

On motion of Senator Gibson the poem of Mrs. Frances McMinds, "To the Thirty-fifth Legislature," was ordered printed in the Journal and appears herein as Appendix B.

Bills and Resolutions.

Simple Resolution No. 41.

Whereas, The address delivered yesterday by the Senator from Harris, Hon. R. M. Johnston, on the life and services of General Robert E. Lee and General T. J. (Stonewall) Jackson, is not only a model of eloquence and pathos, but the heart expression of one who wore the gray coat of a Confederate soldier and is worthy of publication; therefore be it

Resolved, That the said address be printed in the Senate Journal.

BEE,
HALL,
SMITH.

The resolution was read and adopted.

**Address of Senator Johnston
on S. R. No. 40.**

(When called upon by the author of S. R. No. 40, and being referred to as the only Confederate veteran in the Senate, and the most appropriate member to discuss the lives of the men named in the resolution, Senator Johnston delivered the following address.)

Possibly my friend, the Senator from Rusk, by this special compliment intended to try to find out my age. I want to say that I don't feel like I am the oldest man in this Senate.

I was in the Confederate army before I was twelve years of age. I was under fire twice before I was thirteen, and the dearest memory of my mature years is that I gave what little I could at that tender age for the cause which I believed then and I believe more firmly now was a just one. After all these years of so-called progressivism and the fads and fancies of the passing hour, I never have forgotten and I never will forget that cause for which those Southern men yielded up willingly and heroically their lives and their property. It is not for me to eulogize those grand men. Abler tongues than mine have long ago done them justice, but as long as the sun shines over this fair Southland, and as long as men can remember the days of their fathers and mothers, the cause for which those men fought and bled and died will be cherished, and to the end of time.

Senate Concurrent Resolution No. 7.

By Senator Woodward:

Whereas, The citizenship of Stephenville and Erath County propose to donate to the State of Texas what is known now as the John Tarlton College, consisting of the main building, girls' dormitory and art building, all modern new brick buildings and valued at \$85,000;

And also a campus of forty acres of land, located in about four hundred yards of the depot at Stephenville, and within less than one mile of the court house, valued at \$40,000;

Also 500 acres of land located near the campus of the John Tarlton College, all tillable, nearly all

in cultivation, and being good farming land, within one mile of the town of Stephenville, valued at \$50,000;

Also a students' loan fund of \$75,000 to be used by the board of regents in control of this institution, to be loaned to the students attending this college, at a rate of interest not exceeding 5 per cent upon such terms and plans as devised, either in the bills hereafter introduced, either by said college or the board in control, the sum being a grand total of \$250,000, this donation to be made, provided the State will establish a junior branch of the A. and M. College at said place, said branch to be placed under the control and management of the board of regents of the present A. and M. College of Texas; and

Whereas, The expenses incurred by reason of this investigation are to be paid by said citizens of Stephenville, Texas. Therefore be it

Resolved by the Senate of Texas, the House of Representatives concurring, That a committee of five members of the Senate, to be appointed by the President of the Senate, and five members of the House, to be appointed by the Speaker of the House of Representatives, and the Governor of Texas, the Hon. James E. Ferguson, or some one delegated by him, may be selected as a committee to visit the said city of Stephenville not later than January 30, 1917, to go through said buildings and grounds, investigate thoroughly the aforesaid proposition, and report back to the Legislature and to the Governor of this State, not later than February 3, 1917, the said committee making a full and complete report in writing, addressed to the Governor of this State, the President of the Senate and the Speaker of the House of Representatives, making full recommendations as in the judgement of the said committee they deem proper and expedient, and it is so ordered.

The resolution was read and adopted.

Simple Resolution No. 42.

Be it resolved, That the Sergeant-at-Arms be instructed to enforce Rule

92 of the Senate with more strictness than heretofore.

LATTIMORE.

The resolution was read and Senator Caldwell moved that it be laid on the table subject to call, which motion was lost by the following vote:

Yeas—6.

Caldwell.	Hudspeth.
Gibson.	Page.
Harley.	Parr.

Nays—20.

Alderdice.	Hopkins.
Bee.	Johnston of Harris
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Clark.	McNealus.
Dayton.	Smith.
Decherd.	Strickland.
Floyd.	Suiter.
Hall.	Westbrook.
Henderson.	Woodward.

Absent.

Dean.	McCollum.
Johnson of Hall.	

Absent—Excused.

Bailey.	Robbins.
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Action then recurred upon the resolution, and the same was adopted.

Simple Resolution No. 43.

Be it resolved by the Senate of Texas, That the Sergeant-at-Arms of the Senate be instructed to at once communicate with the Superintendent of Public Buildings and Grounds and inform said Superintendent that it is the desire of the Senate that the chandeliers that formerly hung from the ceiling be replaced.

HUDSPETH,
CLARK,
MCNEALUS.

The resolution was read and adopted.

Simple Resolution No. 44.

Resolved, That the Sergeant-at-Arms, as the purchasing agent of the Senate, be instructed to purchase six

dozen small hand towels, of good material, for the use of the Senators, the officers and employes of the Senate, and that a suitable rack for the holding of the clean towels and a suitable receptacle for the soiled ones be also obtained, the cost of same to be paid for out of the contingent expenses of the Senate.

JOHNSTON of Harris,
HUDSPETH.

The resolution was read and adopted.

Committee Alteration.

Senator Bee made the following motion in writing:

I move that the Senator from Duval be added to the Committee on Mining, Irrigation and Drainage.

BEE.

Pending discussion

Senator Clark moved to table the motion to add to the committee, which motion to table prevailed.

Simple Resolution No. 45.

Robins' Return.

Be it resolved by the Thirty-fifth Senate of the State of Texas:

Section 1. That "the springtime, gentle Annie," is nearing her approach, judging from the Robins' return, and that we may expect the gentle showers, the bonnie bluebells, and the balmy breezes ere long.

Sec. 2. That notwithstanding the Robins' return, the Texas zephyrs continue to be somewhat crisp, this condition doubtless being due to the fact that said zephyrs have not yet been duly apprised of the return of the Robins.

Sec. 3. That the Texas Senate here assembled unanimously acknowledges that love is the lure which thus recalls the Robins from the far-off clime, and that we unite in welcoming the Robins, and in wishing for them—Mrs. Robins included—many happy returns, in spring, summer, autumn and winter, with all the joys of each successive season.

GIBSON
CALDWELL.

The resolution was read and adopted.

Bills and Resolutions.

By Senator Hudspeth:

S. B. No. 200, A bill to be entitled "An Act to prevent and punish the desecration, mutilation or improper use of the flag of the United States of America, and declaring an emergency."

Read first time and referred to Committee on Federal Relations.

By Senator Hudspeth:

S. B. No. 201, A bill to be entitled "An Act to protect the wild game of this State and to prevent the selling of fish from running streams of fresh water in this State; making it unlawful to kill any wild deer, wild antelope, and Rocky Mountain sheep for a period of five years from the taking effect of this Act; making a penalty for the violation of any of the provisions of this Act; making it unlawful to use dynamite or other explosives in the killing or catching of any fish in any of the fresh water streams of the State; also making it unlawful to catch or snare any fish with a seine or net in any of the fresh water streams of this State, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Parr:

S. B. No. 202, A bill to be entitled "An Act to change the name of Wil-lacy County to Mifflin Kenedy County, and to repeal all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Counties and County Boundaries.

By Senator Hopkins:

S. B. No. 203, A bill to be entitled "An Act to make an emergency appropriation to construct and equip a fireproof dormitory, complete the administration building and to provide summer support for the College of Industrial Arts, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Hopkins:

S. B. No. 204, A bill to be entitled "An Act to repeal Section 4, Chapter 150, of the Acts of the Regular Session of the Thirty-third Legislature as amended by Chapter 13, Acts of the First Called Session of the Thirty-third Legislature, relating to the payment of in-county witnesses in felony cases, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Suiter:

S. B. No. 205, A bill to be entitled "An Act prohibiting the manufacture or sale or offering for sale within the State of Texas of road vehicles of certain carrying capacity with tires of less than the width herein prescribed; providing the time at which this Act shall take effect, and fixing penalties for the violation thereof."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Bee:

S. B. No. 206, A bill to be entitled "An Act to relieve the crowded condition of the dockets of the Supreme Court by further regulating the mode in which and the conditions on which judgments of the Courts of Civil Appeals may be brought before the Supreme Court for revision, granting additional powers to the Chief Justices of the Supreme Court and of the Courts of Civil Appeals, as incidental to the offices held by them; providing for compensation of certain justices of the Courts of Civil Appeals while acting as herein provided, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Bee:

S. B. No. 207, A bill to be entitled "An Act to amend Subdivision 60, Article 1121, of Chapter 2, of Title 25, of the Revised Civil Statutes of Texas adopted at the Regular Session of the Thirty-second Legislature, as amended at the Regular Session of the Thirty-third Legislature, authorizing the formation of corporations for the construction and operation of interurban electric, gas or gasoline, denatured alcohol or naphtha motor railways with power to own, con-

struct and operate union depots and office buildings and the right to acquire, hold and operate other public utilities in and adjacent to the cities or towns within or through which said companies operate; and authorizing those heretofore organized to acquire, hold and operate other public utilities in and adjacent to the cities or towns within or through which said companies operate, and providing the method of amending their charters so as to expressly include such authority."

Read first time and referred to Committee on Internal Improvements.

By Senator Bee:

S. B. No. 208, A bill to be entitled "An Act forbidding the transaction of business in Texas under an assumed name other than the real name or names of the individuals conducting such business, unless such individuals file in the office of the clerk of the county where such business is to be conducted a certificate containing the names and addresses of such persons; providing for the keeping of special record of such certificates by the county clerks of the State; providing for a filing fee to be paid the county clerk for filing such certificate; making it a misdemeanor not to comply with the provisions of this Act; and fixing a penalty for such failure."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator McCollum:

S. B. No. 209, A bill to be entitled "An Act to provide for the location, establishment and maintenance of two open air house colonies for the treatment of persons suffering from tuberculosis (also to compel the several counties of the State to either provide and care for their own tubercular patients or to comply with the law as herein set out), and to provide for the care and treatment of indigent consumptives; making an appropriation therefor; defining a citizen as used in this Act, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Dayton:

S. B. No. 210, A bill to be entitled

"An Act to permit any joint owner or claimant of real estate or of any interest therein to authorize an attorney to bring suit to partition real estate and providing that the court hearing partition suit shall allow such attorney bringing suit a reasonable attorney's fee to be taxed and paid out as court costs in such suit."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Strickland:

S. B. No. 211, A bill to be entitled "An Act creating the Crockett Independent School District in Houston County Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district; divesting the City of Crockett of the control of its public free schools, and the title of all property now held and used for public school purposes; investing said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the General Laws; creating the trustees of said independent school district as a board of equalization thereof, and conferring upon them powers, and so forth, given by the General Laws, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Harley:

S. B. No. 212, A bill to be entitled "An Act amending Articles 7407, 7408, 7409, 7410, 7411, 7412 and 7413, of Chapter 4, Title 126, Revised Statutes of Texas, 1911, entitled 'State Intangible Tax Board,' creating a State Tax Board, prescribing and defining the qualification, bond, oath, powers, authority and duties of said board and the members thereof; providing for the appointment of members of said board; giving it power to equalize taxes among the counties of Texas; dividing the State into ten districts for meeting of said board with assessors of said districts; giving the board power to appoint a secretary and stenographer; prescribing remedies and penalties for violations of the provisions of this Act; continuing in full force and effect any and all assessments, findings, judgments, certificates, orders and proceedings of said State Tax Board; fixing the sal-

aries of members of said board and its employes; making certain appropriations to carry out the provisions of this Act, and declaring an emergency."

Read first time and referred to Committee on State Institutions and Departments.

By Senator Johnston of Harris:

S. B. No. 213, A bill to be entitled "An Act to construct upon land now owned by the State and described in this Act, a building to be known as the Legislative Office Building, so designed and constructed as to furnish offices for each member of the Senate and the House of the Texas Legislature and to afford accommodations for such departments or commissions transacting the State's business as may be deemed necessary and advisable; creating a committee, and making an appropriation to carry out the provisions of this Act, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Johnson of Hall:

S. B. No. 214, A bill to be entitled "An Act making emergency appropriation for the support and maintenance of West Texas Normal College to augment the money heretofore appropriated for the regular term of 1917, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senators McCollum, Bee, Johnston, Parr, Gibson, Caldwell, Johnson, McNealus, Hudspeth and Decherd:

S. J. R. No. 12, "A joint resolution proposing to amend Article 16 of the Constitution of the State of Texas by adding thereto at the end thereof another section to be known as Section 59, declaring the conservation and preservation of all the natural resources of the State of Texas are public rights and duties; providing for the creation of conservation districts; declaring such districts bodies politic and corporate; defining the authority of such districts, and conferring upon the Legislature authority to pass laws with reference thereto; declaring that the Legislature shall have authority generally to legislate for the purpose of conserving the natural resources of the State;

fixing the time for the election for the adoption or rejection of said proposed constitutional amendment; making certain provisions for said election and the ballots thereof and the method thereof; directing the issuance of the proclamation therefor; prescribing certain duties of the Governor of the State, and making an appropriation to defray the expenses of said election."

Read first time and referred to Committee on Constitutional Amendments.

Special Committee Appointed.

To arrange the schedule of committee meetings, authorized by Simple Resolution No. 38, the Chair announced the appointment of the following :

Senators Lattimore, Clark and Smith.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, January 24, 1917,

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 12, A bill to be entitled "An Act to amend Article 1905, Chapter 8, Title 37, of the Revised Civil Statutes of the State of Texas, relating to the time when the answer in case of citation by publication shall be filed."

H. J. R. No. 2, To amend Section 10 of Article 1 of the Constitution of the State of Texas, providing for certain rights of accused persons in criminal prosecutions and the manner in which the case may be prosecuted, and providing for the procuring of the witnesses for both defense and prosecution, with engrossed rider.

H. C. R. No. 2, designating March 2nd of each year as "Sam Houston Memorial Day."

The following House joint resolutions failed of passage:

H. J. R. No. 13, Proposing an amendment to Section 3, Article 7, of the Constitution of the State of Texas, authorizing the levy and collection of an ad valorem county tax not

to exceed 50 cents on the \$100 valuation of property for the maintenance of the public schools of the county, and authorizing the levy and collection of an ad valorem district tax not to exceed \$1.00 on the \$100 valuation of property for the maintenance of the public schools of the district.

H. J. R. No. 16, Proposing to amend Section 1, Article 8, of the Constitution of the State of Texas, authorizing the Legislature to exempt cotton and woolen factories from State taxes for a period of time not to exceed fifteen years, and authorizing counties, cities and towns to exempt any factory or factories from county or municipal taxes for a period of time not exceeding fifteen years, by a majority vote of the qualified property taxpaying voters of such county, city or town.

Copies herewith transmitted.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair (Lieutenant Governor Hobby) had referred, after their captions had been read, the following House bills:

H. B. No. 12, referred to the Committee on Civil Jurisprudence.

H. J. R. No. 2, referred to the Committee on Constitutional Amendments.

House Concurrent Resolution No. 2.

The Chair laid before the Senate H. C. R. No. 2, Providing that March 2nd of this year and each year hereafter be designated as "Sam Houston Memorial Day."

On motion of Senator Johnston of Harris, the Senate concurred in the resolution.

House Bill No. 275.

(Regular order.)

The Chair laid before the Senate on its second reading,

H. B. No. 275, A bill to be entitled "An Act to reorganize the Thirty-second, Thirty-ninth and Seventieth Judicial Districts, so as to declare what counties compose the Thirty-

second, Thirty-ninth and Seventieth Judicial Districts; to fix the time for holding court in the various counties of said districts; to make the processes issued to serve before this Act takes effect, including recognizances and bonds returnable to terms of court as herein fixed, and continuing in office judges and district attorneys in each of said districts; to repeal all laws in conflict herewith, and declaring an emergency."

On motion of Senator Buchanan of Scurry the bill was laid on the table subject to call.

House Bill No. 248.

The Chair laid before the Senate on its second reading,

H. B. No. 248, A bill to be entitled "An Act to amend Section 1, Chapter 48, General Laws of Texas, creating Willacy County, approved March 11, 1911; and to amend Section 1, Chapter 10, General Laws of Texas, creating Kleberg County, approved February 27, 1913, the purpose of this Act being to change and make the boundary line between said counties conform to the result of elections duly called and held in said counties, the returns of which have been duly estimated, tabulated, certified to, sealed, endorsed and transmitted to the Speaker of the House of Representatives, in the manner and form prescribed by law, whereby certain territory was detached from Willacy County and attached to Kleberg County, and whereby certain land, waters and territory were detached from Kleberg and attached to Willacy County; to repeal all laws in conflict herewith, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 248 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Caldwell.
Bee.	Clark.
Buchanan of Bell.	Dayton.

Dean.	McNealus.
Floyd.	Page.
Gibson.	Parr.
Hall.	Robbins.
Hopkins.	Smith.
Hudspeth.	Strickland.
Johnson of Hall.	Suiter.
Johnston of Harris	Westbrook.
King.	

Present—Not Voting.

Buchanan of Scurry. Lattimore.

Absent.

Decherd.	McCollum.
Harley.	Woodward.
Henderson.	

Absent—Excused.

Bailey.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—25.

Alderdice.	Johnson of Hall.
Bee.	Johnston of Harris
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Henderson.	Suiter.
Hopkins.	Westbrook.
Hudspeth.	

Present—Not Voting.

Buchanan of Bell.

Absent.

Decherd.	McCollum.
Harley.	Woodward.

Absent—Excused.

Bailey.

Senator Parr moved to reconsider the vote by which H. B. No. 248 was passed and table the motion to reconsider.

The motion of table prevailed.

Report of Penitentiary Committee.

(By unanimous consent.)

The Special Committee on Penitentiary Affairs, appointed at the

First Called Session of the Thirty-fourth Legislature,, here made its report.

Senator Harley moved to refer the report of said special committee (consisting of two volumes of written evidence) to the standing Committee on Penitentiaries, and that said special committee be discharged.

The motion prevailed.

Senate Bill No. 61.

(Pending business.)

Action recurred on pending business, S. B. No. 61, the question being upon the substitute for Senator Lattimore's pending amendment to the committee report.

Pending discussion Senator Lattimore made the point of order that the substitute is not germane.

By unanimous consent Senator Hopkins withdrew his substitute for Senator Lattimore's amendment. The latter is pending.

(President Pro Tem. Henderson in the chair.)

Simple Resolution No. 46.

(By unanimous consent.)

Resolved, That the Sergeant-at-Arms be instructed to remove the block picture of the Twenty-sixth Senate to the walls of the gallery and to place in the position thus vacated the block picture of the Thirty-fourth Senate, and also the purported picture of Sam Houston be removed to the gallery.

JOHNSON of Hall,
CLARK.

The resolution was read and adopted.

Recess.

On motion of Senator McNealus; at 12:05 o'clock the Senate recessed until 1:55 o'clock today.

After Recess.

(Afternoon session.)

The Senate was called to order by Lieutenant Governor Hobby.

Senate Bill No. 61.

(Pending.)

Action recurred on the pending amendment by Senator Lattimore, and Senator Hopkins offered the following substitute for the amendment:

Amend the committee report on Senate Bill No. 61 by striking out lines 20 and 21, page 2, of the printed bill, and insert in lieu thereof the following:

Amend Senate Bill No. 61 by striking out in line 21, page 1, of printed bill the words, "valid at date of execution," and insert in lieu thereof the following: "valid and existing at date of acquisition of property."

Senator Lattimore made the following point of order:

I make the point of order that the proposed substitute offered by the Senator from Denton shows upon its face that it is not and could not be a proper amendment to the committee report, because the committee could not make a report to this Senate as to a bill not yet printed, which would refer to the bill as a "printed bill" or to line 21 or 22 of the "printed bill" for purposes of amendment.

The point of order was sustained.

Senator Hopkins offered the following substitute for the pending amendment:

Amend the committee report by striking out the committee amendment and inserting in lieu thereof the following.

Amend the bill by striking out in Article 3420 the words "valid at date of execution" and inserting in lieu thereof the following: "valid and existing at date of acquisition of property."

Senator McNeal made the point of order that the substitute seeks to amend the committee report and at the same time the bill, which cannot be considered before the committee report is adopted.

Pending.

(President Pro Tem. Henderson in the chair.)

Executive Session.

The Chair here announced that the hour, 2:30 o'clock p. m., heretofore designated by the Senate to hold

Executive Session, had arrived, and directed the chamber cleared of those not entitled to remain.

In executive session no action was taken on appointments by the Governor. The executive session arose to reconvene Friday morning, January 26, 1917, at 9:15 o'clock, according to the report by the Secretary to the Journal Clerk.

In the Senate.

(President Pro Tem. Henderson in the chair.)

Adjournment.

At 4:10 o'clock, on motion of Senator Clark, the Senate adjourned until 10 o'clock a. m. tomorrow.

APPENDIX A.**Petitions and Memorials.**

Numerously signed petitions from different parts of the State came pouring in protesting against the Drug Law Act. They were offered by Senators Buchanan of Bell, Buchanan of Scurry, Woodward, Gibson, Bee and Johnson.

Senator Johnston offered a petition to be read favoring an amendment to the present Landlord's Lien Law, compelling the landlord who wishes to preserve his lien, to file same with county clerk, where the rent is three months in arrears.

A petition bearing numerous signatures from the citizens of Praha, Fayette County, to Senator Clark, was offered protesting against the proposed legislation subjecting all private institutions enumerated in the bill of O'Bannion.

Telegrams to Senator Hudson from Post, Colorado, Sweetwater, Wichita Falls, were offered, expressing gratitude for the bill introduced establishing an A. and M. College in West Texas.

Engrossing Committee Reports.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on En-

grossed Bills has had Senate Bill No. 54 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 75 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 71 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Reports.

(Majority Report.)

Committee Room,
Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a majority of your Committee on Privileges and Elections, to whom was referred

S. B. No. 193, A bill to be entitled "An Act providing for the nomination of candidates in primary elections in this State, at one election; providing for 'first' and 'second' choice at same primary election; providing form of ballot to be used at primary elections; providing how candidates may have their names placed on the ballot; providing how 'first' and 'second' choice votes shall be counted, etc.; providing who shall be declared nominated at the primary election and how their nominations shall be certified, etc.; providing for nominations in certain cases of a tie; providing certain duties of committees, canvassing boards and others in connection with this Act; providing for punishment for violation of certain provisions of this Act, etc; providing and prohibiting certain things as set out in this Act, etc.; providing for construction of certain words and phrases herein; providing that

if any section or provision herein is declared unconstitutional or invalid it shall not affect the remaining sections and provisions of this Act; providing what political parties shall hold primary elections, etc.; providing certain forms for returns of ballots cast at primary elections in this State; conferring police powers on certain election officers and providing for repeal of laws in conflict herewith, etc."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

DAYTON, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a minority of your Committee on Privileges and Elections, to whom was referred Senate Bill No. 193, beg leave to report that we have had same under consideration and report same back to the Senate with the recommendation that it do not pass.

JOHNSTON of Harris,
KING.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 66, A bill to be entitled "An Act to amend Article 1675 (1068) (1090), Chapter 1, Title 34, of the Revised Civil Statutes, relating to the disqualification of judges of the district court by adding thereto the provision that no judge of a district court shall be disqualified by reason of the fact that he may be a member of a mutual benefit order, insurance society or insurance company, from trying any cause in which such mutual benefit order, insurance society or insurance company may be a party."

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass with the following committee amendment, to wit:

Article 1675 (1068) (1090). Disqualification, Causes Of.—No judge

of a district court shall sit in any cause wherein he may be interested or in which he may have been of counsel or where any of the parties thereto are related to him by affinity or consanguinity within the third degree; but it shall be no disqualification for such judge to be a member of a mutual benefit society or fraternal beneficiary association or that he may be insured therein or hold a policy or beneficiary certificate therein, or that he may be a depositor in a bank in which either of said cases may be a party to said suit.

LATTIMORE, Vice-Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 81, A bill to be entitled "An Act to amend Articles 5982 and 5988 of Title 96 of the Revised Civil Statutes of 1911, relating to navigation districts so as to provide that any navigation district, in addition to authority to levy taxes for interest and sinking fund upon bonds which may be voted, shall also be authorized to levy an additional tax not exceeding ten cents on the one hundred dollar valuation upon all property within such navigation district for the maintenance, upkeep and operation of said district and all improvements constructed by such district; and so as to provide the amount of the bond of the county treasurer as treasurer of a navigation district shall be fixed by the navigation and canal commissioners of such district at not less than twice the estimated amount of funds which will be in the hands of said treasurer at any time, except where bonds of said district are voted, in which event said treasurer shall execute an additional bond in twice the amount of such bond issue before receiving the proceeds thereof."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LATTIMORE, Vice-Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 192, A bill to be entitled "An Act to amend Article 2945 of Title 49, Chapter 4, of the Revised Civil Statutes, providing that a soldier who is away from his home and in the actual service of the United States, or in the military service of the State, may pay his poll taxes by agent, where such soldier resides in a city of ten thousand inhabitants or more, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LATTIMORE, Vice-Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 94, A bill to be entitled "An Act to amend Article 7394 of the Revised Statutes of 1911 so as to provide that the franchise tax on foreign corporations therein levied shall be based upon that proportion of the total issued and outstanding capital stock of such corporation as the gross receipts of such corporation from its intrastate business in Texas bears to its total gross receipts."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LATTIMORE, Vice-Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 95, A bill to be entitled "An Act to amend Article 3837 of the Revised Statutes of 1911 so as to provide that the permit fees for corporations payable to the Secretary of State under the provisions of Article 3837, Chapter 1, Title 58, of the Revised Statutes of the State of Texas, shall be based upon the cap-

ital stock of corporations domestic and foreign issued and outstanding, not to exceed the sum of twenty-five hundred dollars."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass,

LATTIMORE, Vice-Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Commerce and Manufactures, to whom was referred

S. B. No. 183, A bill to be entitled "An Act authorizing the incorporation by those engaged in agricultural pursuits of farmers' co-operative societies; defining the character of their business, purpose and locality of such corporations; providing the method by which such corporations may be chartered; fixing the charter fees therefor and exempting them from the payment of franchise taxes; declaring that certified copies of the charters, amendments and by-laws of such corporations shall be filed with the county clerk of the county in which such societies are located; defining the character of reports that must be made by such corporations; fixing the minimum amount of property which such corporations must own and regulating the membership and the membership certificates of such corporations; authorizing such corporations to borrow money, to discount notes in a limited amount; authorizing them to act as the selling and purchasing agents of their members in the sale of agricultural products and the purchase of machinery, supplies and insurance for their members; giving such corporations authority to own and operate such machinery and instrumentalities as may be necessary in the production, harvesting and preparations for market of farm and ranch products; fixing the rights of members of such societies; limiting the liability of members of such corporations and authorizing them to provide for an additional liability; providing for appropriate forms for making this Act effective; conferring certain powers and authority upon and fixing certain duties for the Secretary of State

and the Attorney General, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LATTIMORE, Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Commerce and Manufactures, to whom was referred

S. B. No. 176, A bill to be entitled "An Act to authorize commissioners courts, in addition to the powers now granted to them, to make appropriations of money to regularly organized relief and charitable associations, for the support of indigents; requiring such associations to make annual reports to said courts, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LATTIMORE, Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Commerce and Manufactures, to whom was referred

S. B. No. 184, A bill to be entitled "An Act to amend Article 7491, Chapter 10, Title 126, of the Revised Civil Statutes of Texas, so as to authorize the Comptroller to appoint and contract with persons to collect inheritance taxes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LATTIMORE, Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Commerce and Manufactures, to whom was referred

S. B. No. 185, A bill to be entitled "An Act to amend Section 2, Chapter 42, of the General Laws of the Thirtieth Legislature as amended by

Chapter 83 of the General Laws of the Thirty-second Legislature, relating to exemptions as affecting the granting of free transportation over any steam railway, electric interurban railway or chartered transportation company, or sleeping car company, or the receivers or lessees thereof or persons operating same or their officers, agents, or employes from granting free transportation over such carriers and fixing and defining who may receive such free transportation; repealing all laws or parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LATTIMORE, Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Commerce and Manufactures, to whom was referred

S. B. No. 39, A bill to be entitled "An Act to enforce hire, tenant and share farming contracts, when money or goods are obtained thereon, and to punish their wilful violations; to make it an offense for persons not parties to said contract to wilfully interfere therein, and to prohibit the fraudulent arrest of and unlawful detention of persons under this Act, and prescribing penalties for the punishment thereof,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LATTIMORE, Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 8, To amend Section 4 of Article 11 of the Constitution of the State of Texas, by providing that towns and cities having a population of less than five thousand inhabitants may assess and collect an annual tax to defray the current expenses of their local government not

to exceed one-half of one per cent of the taxable property thereof for any one year,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 1, To submit an amendment to Section 20, Article 16, of the Constitution of Texas, prohibiting the manufacture, sale and exchange of intoxicating liquors in the State of Texas,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 7, To amend Section 1 of Article 8 of the Constitution of the State of Texas so as to exempt from taxation county and city bonds, vendor's lien notes and other securities bearing a rate of interest of six per cent or less,

Have had the same under consideration, and after it is amended by inserting after the words "district road bonds" the word "and," and after the words "vendor's lien notes" strike out "and other obligations," beg leave to report the same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. C. R. No. 1, "Providing for the

calling of a constitutional convention for the State of Texas,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas., January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 5, Proposing an amendment to the Constitution of the State of Texas by adding to Article 10 thereof a new section to be known as Section 10, declaring what are public utilities and providing that the Legislature may hereafter declare what are public utilities, and providing further that the Legislature may authorize the Railroad Commission, as now created by law, to control, regulate and fix the rates and terms of service of said public utilities or that the Legislature may hereafter create an independent commission to regulate, control and fix the rates and terms of service of such public utilities,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas., January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Towns and City Corporations to whom was referred

S. B. No. 100, A bill to be entitled "An Act to amend Article 1003, Article 1004 and Article 1005 of the Revised Civil Statutes of the State of Texas of 1911, relating to the condemnation by incorporated cities and towns and public utility companies or corporations of private property for opening or widening streets, avenues or alleys, or for the construction or extension of gas or electric light plants, or water works, water mains, supply reservoirs or standpipes for water works or sewers, etc., and for laying sewer pipes and acquiring outfall, etc., when-

ever it is made to appear that the use of such private property is necessary for such purposes, and providing for condemnation by cities and towns of private property for the purpose of construction, operation and maintenance of water works, and providing the proceedings for such condemnation, and authorizing any public service company or corporation organized or chartered under the laws of Texas for the purpose of constructing gas, electric light, water works and furnishing gas, lights or water to any town or city, or the inhabitants thereof, to condemn and appropriate any private land reasonably necessary for its use for such purposes, by paying just compensation therefor, and prescribing the proceedings for such condemnation, to repeal all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

JOHNSTON of Harris, Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Towns and City Corporations, to whom was referred

S. B. No. 166, A bill to be entitled "An Act to authorize the city council, board of commissioners or city manager of any city in the state to levy and collect a tax not to exceed five cents on each \$100 of assessed valuation of the city for one year for the purchase and improvement of lands for city parks, and providing for the manner of acquiring lands for park purposes, and providing for the management and control of said city parks, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

JOHNSTON of Harris, Chairman.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 36, A bill to be entitled "An Act to prohibit the manipulation of corporate stocks and the bankrupting of corporations for speculative purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PAGE, Chairman.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 143, a bill to be entitled "An Act providing for the election of county school trustees; defining the term of office thereof; stating the manner of having the names of candidates placed on the official ballot; fixing the date of said election; and providing who shall participate in said election; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEE, Chairman.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 149, A bill to be entitled "An Act to amend Chapter 117 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fourth Legislature of Texas, relating to county libraries,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEE, Chairman.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 164; A bill to be entitled "An Act to amend Section 10 of Chapter 36, Page 359, of Acts of

the Thirty-first Legislature, approved March 15, 1909, entitled 'An Act to validate the Wichita Falls Independent School District' (and for other purposes) by repealing the last clause of Section 10 of said Act which limits the powers and discretion of the board of equalization of said independent school district in the performance of its duties, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, but be not printed.

BEE, Chairman.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 177, A bill to be entitled "An Act to establish and incorporate the Pampa Independent School District with certain boundaries, including the Town of Pampa, Gray County, Texas, with all the powers and privileges of independent school districts, to manage and control the public schools of the same, to elect trustees therefor, to levy and collect taxes for the maintenance of said schools, to issue bonds, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, but be not printed.

BEE, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

S. B. No. 163, A bill to be entitled "An Act creating the office of State Commissioner of Education, prescribing the manner of his election, defining his term of office, fixing his salary, prescribing his duties, providing for substitute of title of 'State Commissioner of Education' for 'State Superintendent of Public Instruction,' and repealing all laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEE, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: A minority of your Committee on Education, to whom was referred

S. B. No. 163, A bill to be entitled "An Act creating the office of State Commissioner of Education, prescribing the manner of his election, defining his term of office, fixing his salary, prescribing his duties, providing for substitute of title of 'State Commissioner of Education' for 'State Superintendent of Public Instruction,' and repealing all laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

JOHNSON of Hall.

Committee Room,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Insurance and Banking, to whom was referred

S. B. No. 60, A bill to be entitled "An Act to amend Chapter 1 of Title 71 of the General Laws of the State of Texas, to permit insurance companies to invest in stocks of banks and trust companies organized under the laws of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

GIBSON, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Education, to whom was referred

H. B. No. 61, A bill to be entitled "An Act to create the Palo Pinto In-

dependent School District in Palo Pinto county, Texas, for free school purposes, defining its boundaries, divesting the present Palo Pinto Independent School District of the control of the public free schools within said district, and investing the same in the district hereby created; divesting the old district of title to all school property within its boundaries, and investing the same in the new district; providing that the trustees of the old shall continue to act as trustees of the new district; authorizing said district to levy, assess, equalize and collect its own taxes for school maintenance, buildings, improvements, betterments and bonds, either directly or through the county authorities; making said district a body politic and corporate; granting it all rights and privileges with the duties of a district incorporated under the General Laws, except as otherwise expressly provided herein; giving the board of school trustees and their appointees, when acting in regard to taxes and elections, the privileges and powers of the commissioners court, tax assessor and tax collector of a county of Texas, when acting in a similar capacity; providing how the taxes for the current year of 1917 may be assessed and collected; authorizing the members and appointees of said school board under certain conditions to administer oaths and issue process, and directing that the same be served by the officers to whom addressed; providing that the members of the school board shall serve without pay, except that the secretary may be paid five dollars per month for his services; providing for the payment of the tax assessor and collector and members of the board of equalization herein provided for; enumerating certain powers of the school board; validating all previous taxes, levies and assessments by or on behalf of the dissolved district, and making same payable to the new district; validating all outstanding bonds of the district and declaring the new district generally the successor of the old; requiring oath and bond of the tax assessor and collector, and oath of the members of the school board and members of the board of equalization, and authorizing the school board to issue and sell bonds and

invest proceeds, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, but be not printed.

Bee, Chairman; Smith, Dayton, Dean, Alderdice, Decherd, Buchanan of Scurry, Johnson of Hall, Page, Harley.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Special Committee on Penitentiary Affairs, acting under appointment authorized by the First Called Session of the Thirty-fourth Legislature of the State of Texas, under Senate Simple Resolutions Nos. 39 and 41, having investigated the financial and business transactions of the Texas Penitentiary System covering the period from January 1, 1913, to June 1, 1915, beg leave to submit the report of said committee herewith, and ask that said report be accepted, and that said committee be discharged.

HARLEY, Chairman.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Finance, to whom was referred.

S. B. No. 198, A bill to be entitled "An Act making appropriations to cover authorized deficiencies for the fiscal year ending August 31, 1915, and to cover authorized deficiencies for the fiscal year ending August 31, 1916, being amount of registered deficiency warrants as shown by the records of the State Comptroller, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HUDSPETH, Chairman.

Committee Room,
Austin, Texas, January 24, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Finance, to whom was referred

S. B. No. 159, A bill to be entitled

"An Act to appropriate out of the general revenue not heretofore appropriated the sum of \$25,000, or so much thereof as may be necessary, for the remainder of the fiscal year ending August 31, 1917, and the further sum of \$45,000, or so much thereof as may be necessary, for the fiscal year ending August 31, 1918, to defray the expenses of the department of the State Health Officer of the State of Texas in intensive rural health work and rural sanitation leading to the prevention and eradication of malaria, hookworm, typhoid fever and other contagious or infectious diseases in the State of Texas; authorizing the State Health Officer to supplement therefrom an amount equal to an amount appropriated or set aside by any county, or city or town therein, for such purposes; also authorizing the State Health Officer to accept donations from any source to supplement such fund, or funds, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HUDSPETH, Chairman.

APPENDIX B.

To the Thirty-fifth Legislature of the State of Texas.

(By Frances McMinds, Senate Librarian.)

Again do the halls of state resound
To the tread of many feet;
Again are the eyes of Texans turned
To their governmental seat,
As the stalwart sons of Texas soil,
Unbought and unterrified,
From every district gather here
The ship of state to guide.

The Panhandle patriot has left his
snows
And his rich and rare ozone;
He has left his desk and his business
cares
And the comforts of his home;
He has said good-bye to the mesquite
trees,
To his rugged, rocky hills;
He has bound his bruised feet about
And come to the post he fills.

The East Texas statesman is also
here,

With his rod and his gun laid by.
He has poured the sand from his
Sunday shoes;

He has set his standards high;
For his principles are firm and
strong,

And his mind is keen and bright—
The man who comes from the sandy
lands,

Where none but the fishes bite.

From the fields of the black land belt
they come,

Where the crops turn into gold;
They have scraped the mud from
their stout brogans,

And their names are now enrolled
In their rightful place 'mong the
chosen ones—

The flower of our peerless State—
Who know no law but the people's
will,

Supreme and inviolate.

From the western plains come the
statesmen bold,

Where the maverick is no more,
Where the graybeards sit 'round the
glowing fires

And tell of the days of yore;
Where they grow tall men, stalwart
and strong,

Whom you cannot buy nor sell,
And who voice the needs of the
"folks at home"

And the State they love so well.

Alike from the south have the pa-
triot's come,

From the land of palm and pine,
Where the night birds sing and the
flowers bloom,

And the sea waves glint and shine;
Where their history reads like a fair
romance

That abounds in gallant deeds;—
Such men as these are the kind that
come

To care for the people's needs.

And hence are the eyes of the Texas
hosts

To the Legislature turned;
For they know that the men assem-
bled here

The people's will have learned;
And they feel that our Texas statutes
will

Record on their pages white
The acts of the noble Thirty-fifth
As wise, and just, and right.

THIRTEENTH DAY.

Senate Chamber,
Austin, Texas,
Thursday, January 25, 1917.

The Senate met at 10 o'clock a.m.,
pursuant to adjournment, and was
called to order by Lieutenant Gov-
ernor W. P. Hobby.

The roll was called, a quorum be-
ing present, the following Senators
answering to their names:

Alderdice.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Page.
Decherd.	Parr.
Floyd.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Absent—Excused.

Bailey.

Prayer by Rev. John R. Nelson of
Fort Worth.

Pending the reading of the Jour-
nal of yesterday, the same was dis-
pensd with on motion of Senator
Westbrook.

See Appendix for brief statement
of petitions and memorials.

See Appendix for standing com-
mittee reports in full.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, January 25, 1917,

Hon. W. P. Hobby, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has passed the following bills:

S. B. No. 140, A bill to be entitled
"An Act to create a common county
line school district, to be known as
the Auburn District, to be under the
jurisdiction, management and control
of the county school board of Ellis
County, Texas; to be composed of
the territory described in this Act,